

Notice of Allowability

Application No.

10/770,095

Examiner

Kuo-Liang Peng

Applicant(s)

STORA, CAROLE JEGO

Art Unit

1712

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/5/06 Amendment.
2. ☒ The allowed claim(s) is/are 2,4-14,16,18-22,24 and 27-33.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 12/5/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 122306
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. Applicants' amendment filed December 5, 2006 is acknowledged. Claims 1, 3, 15, 17, 23, 25, 26 and 34 are deleted. Claims 2, 14, 24 and 29 are amended. Now, Claims 2, 4-14, 16, 18-22, 24 and 27-33 are pending.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
3. Authorization for this examiner's amendment was given in a telephone interview with Ms. John A. Burtis on December 18, 2006.

The application has been amended as follows:

In Claim 16 (line 1), replace "claim 15" with -- claim 14 --.

4. Claim rejection(s) under 35 USC 112 in the previous Office Action (Paper No. 081906) is/are removed.

Art Unit: 1712

5. Claim rejection(s) under 35 USC 103 in the previous Office Action (Paper No. 081906) is/are removed.

Allowable Subject Matter

6. Claims 2, 4-14, 16, 18-22, 24 and 27-33 are allowed.

7. The following is an examiner's statement of reasons for allowance:

The present claims are allowable for at least the following reason(s) over the closest references: Chiotis (US 5 529 508), Dubrow (US 4 777 063), De Ridder (EP 971369/US 6 194 476), Katoh (US 6 010 134), Usami (US 5 099 088) and Matsumoto (JP 63-28076).

Chiotis as evidenced by Dubrow and in view of De Ridder discloses a method of sealing a sealable device where the end of a hollow member is sealed using a sealing member comprising a layer of sealant between two constraining layers. (Chiotis, Figures 1-3, col. 2, line 27 to col. 3, line 20) The sealant material can be a polyorganosiloxane gel. However, none of Chiotis, Dubrow and De Ridder, taken alone or in combination, teaches or fairly suggests the claimed methods set forth in Claims 2 and 14, where a sealant material is present within less than the entire interior of an enclosable container that is closed to compress

Art Unit: 1712

the sealant material, wherein the sealant material comprises a **first portion** and **second portion**, and wherein closure of the enclosable container **compresses** the first portion against the second portion; wherein the first portion and the second portion each have an **exposed-surface area** and a **side-surface area**, wherein the exposed-surface area is **smaller** than the side-surface area, and wherein the exposed-surface area of the first portion **contacts** the exposed-surface area of the second portion.

Furthermore, none of Chiotis, Dubrow and De Ridder, taken alone or in combination, teaches or fairly suggests the claimed sealable device set forth in Claim 24, where a sealant material is present within less than the entire interior of an enclosable container that is closed to **compress** the sealant material, where the container comprises a pair of cover members adapted to **fold** together to close the container, wherein the sealant material comprises a **first portion** and **second portion**, and wherein closure of the enclosable container **compresses** the first portion against the second portion; wherein the first portion and the second portion each have an **exposed-surface area** and a **side-surface area**, wherein the exposed-surface area is **smaller** than the side-surface area, and wherein the exposed-surface area of the first portion **contacts** the exposed-surface area of the second portion.

Katoh in view of Usami and De Ridder, optionally Matsumoto a method of sealing an enclosable container (i.e., grommet for a wire **harness**). Note that the sealant material is present within less than the entire interior of container. (Katoh, col. 2, line 29 to col. 5, line 24 and Figures) Kotoh further teaches filling the sealant **after** the complete assembly of the pair of complementary semi cylinders. (col. 2, lines 38-47 and col. 3, lines 19-25) However, none of Katoh, Usami and De Ridder and Matsumoto, taken alone or in combination, teaches or fairly suggests the claimed methods set forth in Claims 2 and 14, where a sealant material is present within less than the entire interior of an enclosable container that is closed to **compress** the sealant material, wherein the sealant material comprises a **first portion** and **second portion**, and wherein closure of the enclosable container **compresses** the first portion against the second portion; wherein the first portion and the second portion each have an **exposed-surface area** and a **side-surface area**, wherein the exposed-surface area is **smaller** than the side-surface area, and wherein the exposed-surface area of the first portion contacts the exposed-surface area of the second portion.

Furthermore, none of none of Katoh, Usami and De Ridder and Matsumoto, taken alone or in combination, teaches or fairly suggests the claimed sealable device set forth in Claim 24, where a sealant material is present within less than the

Art Unit: 1712

entire interior of an enclosable container that is closed to **compress** the sealant material, where the container comprises a pair of cover members adapted to fold together to close the container, wherein the sealant material comprises a **first portion** and **second portion**, and wherein closure of the enclosable container **compresses** the first portion against the second portion; wherein the first portion and the second portion each have an **exposed-surface area** and a **side-surface area**, wherein the exposed-surface area is **smaller** than the side-surface area, and wherein the exposed-surface area of the first portion **contacts** the exposed-surface area of the second portion.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

8. A PTO-892 form is attached to cite the reference Dubrow (US 4 777 063) that was inadvertently not included in the PTO-892 form in the previous Office action.


Art Unit: 1712

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuo-Liang Peng whose telephone number is (571) 272-1091. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy Gulakowski, can be reached on (571) 272-1302. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

klp
December 18, 2006


Kuo-Liang Peng
Primary Examiner
Art Unit 1712